

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION No.11824 of 1998

Between:

Kurra Satyanarayana S/o Basavaiah, aged 60 years,
resident of Vepakuntla Village, Khammam Urban Mandal,
Khammam District.

..... PETITIONER

AND

1 The District Collector, Khammam District, Khammam.

2 The Divisional Co-operative Officer, V.D.Os Colony,

Khammam, Khammam District.

3 Sri Masthan Rao, S/o Ramakoteswara Rao, aged 46 years,
Election Officer, PACS, Vepakuntla presently working as

MCRDO, Kunavaram Village and Mandal, Khammam District.

4 G. Sailu S/o Veeraiah, aged about 40 years,
R/o Mallepalli, Khammam Urban Mandal, Khammam.

5 The Co-operative Election Tribunal-cum-Prl. Junior Civil Judge,

Khammam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of 'WRIT OF CERTIORARI' calling for the records relating to decree and order dated 25-03-1998 passed in O.P.No.17 of 1995 on the file of the Court of the Co-operative Election Tribunal-Cum-Prl. Junior Civil Judge, Khammam and to set-aside the same.

Counsel for the Petitioner: Mr.VENKATESWARLU POSANI

Counsel for the Respondent Nos.1 to 3: GP FOR COOPERATION

Counsel for the Respondent Nos.4 and 5: None appeared

The Court made the following:

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.11824 OF 1998

-

ORDER:

The petitioner was elected President of Primary Agricultural Cooperative Society, Vepakuntla village in the election held on 30.07.1995. The same was impugned by the fourth respondent herein under Section 61(3) of the A.P.Cooperative Societies Act, 1964 in O.P.No.17 of 1995 before the Cooperative Election Tribunal. The said Tribunal by impugned order dated 25.03.1998 set aside the election of the petitioner as President of Primary Agricultural Cooperative Society and directed the respondents 1 and 2 to initiate fresh selections for the post. This Court while admitting the writ petition suspended the impugned order in O.P.No.17 of 1995, *prima facie*, came to a conclusion that the order of the Tribunal suffers from incurable defects.

It is not denied before this Court, the term of the members of the management committee and president of a cooperative society is five years. The term of the petitioner, therefore, long expired and no purpose would be served by adjudicating the issue in this regard. The Writ Petition is, therefore, dismissed as infructuous.

(V.V.S.RAO,J)

08.11.2004.

pln

To

1 The District Collector, Khammam District, Khammam.

2 The Divisional Co-operative Officer, V.D.Os Colony,

Khammam, Khammam District.

3 Sri Masthan Rao, S/o Ramakoteswara Rao, aged 46 years,
Election Officer, PACS, Vepakuntla presently working as

MCRDO, Kunavaram Village and Mandal, Khammam District.

4 The Cooperative Election Tribunal-cum-Principal Junior Civil Judge,

Khammam.

5 Two CCs to the Government Pleader for Co-operation,

High Court Buildings, Hyderabad (O.U.T)

6 Two CD Copies.